

Application No. 10/554,358  
Paper Dated: August 22, 2006  
In Reply to USPTO Correspondence of 06/14/2006  
Attorney Docket No. 1943-052530

Customer No. 28289

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/554.358  
Applicant : **Holger LABES**  
Received : October 25, 2005  
Title : **BATON**  
International Application No. : PCT/DE2004/000876  
International Filing Date : 27 April 2004  
Priority Date Claimed : 29 April 2003  
Confirmation No. : 3045

**MAIL STOP PCT**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**LETTER RE COMPLETION OF FILING REQUIREMENTS FOR  
INTERNATIONAL APPLICATION ENTERING U.S. NATIONAL  
STAGE IN U.S. ELECTED OFFICE (EO/US) UNDER 35 USC 371**

Sir:

In response to Document PCT/DO/EO/905 regarding "Notification of Missing Requirements Under 35 U.S.C. 371 In The United States Designated/Elected Office (DO/EO/US)" and mailed June 14, 2006, attached hereto are the following documents to complete the United States national phase of the above-identified application:

"EXPRESS MAIL" mailing label number: EV908693792US  
Date of Deposit August 22, 2006  
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the: MAIL STOP PCT, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

Nora Ann Pastrick

(Type or print name of person mailing paper)

*Nora Ann Pastrick*

(Signature of person mailing paper)

1. the Declaration and Power of Attorney executed by the inventor;
2. a correct English translation of PCT/DE2004/000876;
3. a Petition for Extension of Time for one month, together with a check in the amount of \$60.00;
4. a copy of the above-mentioned "Notification" to be returned with response;
5. a check in the amount of \$195.00 to cover the processing fee of \$130.00 and surcharge fee of \$65.00 for late filing of the oath or declaration; and

The Commissioner for Patents is hereby authorized to charge any additional fees as set forth in 37 CFR 1.16 and 1.17 which may be required, or credit any overpayment to Deposit Account No. 23-0650. The original and one copy of this Letter are enclosed.

08/24/2006 ATRAN1 00000166 230650 10554358  
01 FC:2617 65.00 DP

Respectfully submitted,

THE WEBB LAW FIRM

By



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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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 Alexandria, Virginia 22313-1450  
 www.uspto.gov

|                             |                       |                  |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/554,358                  | Holger Labes          | 1943-052530      |

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INTERNATIONAL APPLICATION NO.

PCT/DE04/00876

I.A. FILING DATE

04/27/2004

PRIORITY DATE

04/29/2003

CONFIRMATION NO. 3045

371 FORMALITIES LETTER



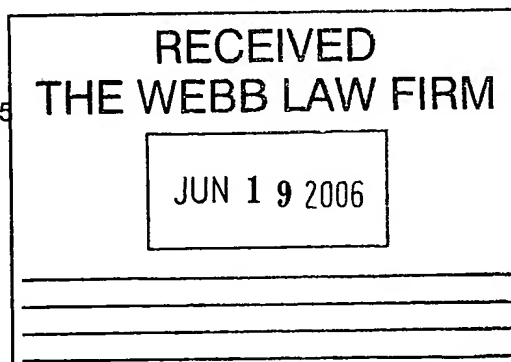
\*OC000000019261175\*

Date Mailed: 06/14/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 10/25/2005
- English Translation of the IA filed on 10/25/2005
- Copy of the International Search Report filed on 10/25/2005
- Preliminary Amendments filed on 10/25/2005
- Oath or Declaration filed on 10/25/2005
- Request for Immediate Examination filed on 10/25/2005
- U.S. Basic National Fees filed on 10/25/2005
- Priority Documents filed on 10/25/2005



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. The current translation of the application into English is defective as described below. Note a processing fee will be required if submitted later than 30 months from the priority date.
  - The claims are translated incorrectly.
- Processing fee of \$130 for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:

- First inventor listed on the International application as an applicant not an inventor.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$195** for a Small Entity:

- **\$65** Surcharge.
- **\$130** for English translation surcharge required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

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## PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/554,358                  | PCT/DE04/00876                | 1943-052530      |

FORM PCT/DO/EO/905 (371 Formalities Notice)

08/24/2006 ATRAN1 00000166 10554358

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